UNITED STATES PATENT AND TRADEMARK OFFICE

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10/634,109	08/04/2003	Noriyasu Mizushima	04995/113001	6390

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 August 2003*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-6* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☒ All   b)☐ Some *   c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *08/04/2003*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form

the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by DeMartin et al,

US Patent 6,226,672 (hereafter referenced as DeMartin).

Regarding claim 1, DeMartin discloses a workstation designed for accessing

multimedia information via the internet comprising music video and data which reads

on "a terminal including a terminal receiver which receives music list information,

synchronized video information, synchronized video list information, relevant video

information, relevant sound information, and relevant list information and which

transmits, to a synchronization analyzer, the music list information, the synchronized

video information, the synchronized video list information, the relevant video

information, the relevant sound information, and the relevant list information" (column

2, lines 50-54, 60-62) in addition DeMartin discloses a workstation 26 wherein the

TOC (table of content) read from each disk in the CD changer can be matched against

the corresponding title and name of the track stored in the database of Music Web

server 16 which reads on "CD drive for transmitting CD information to the

synchronization analyzer; a terminal input device for transmitting input information to

the synchronization analyzer; a music information reader for transmitting read

information to the synchronization analyzer" (column 4, lines 49-52) and is exhibited in

figure 1. Furthermore, DeMartin discloses display screen for displaying multimedia

information and input devices like keyboards matched between TOC data and web

server 16 which reads on "a music information screen device for receiving music list

information; a video information screen device for receiving the synchronized video list

information and the relevant list information; a changeover button device; a display

screen device for receiving the synchronized video information and the relevant video

information; a performance device for receiving the CD information and the relevant

sound information" (figure 1) in addition DeMartin discloses a workstation 26

comprising a receiver wherein the TOC (table of content) read from each disk in the

CD changer can be matched against the corresponding title and name of the track

stored in the database of Music Web server 16 which reads on " a synchronization

analyzer which receives the music list information, the synchronized video information,

the synchronized video list information, the relevant video information, the relevant

sound information, the relevant list information, and the CD information and which

transmits the music list information to the music information screen device, transmits

the synchronized video list information and the relevant list information to the video

information screen device, transmits the synchronized video information and the

relevant video information to the display screen device, transmits the CD information

and the relevant sound information to the performance device, and transmits the read

information and the input information to a terminal transmitter" (column 4, lines 49-52)

in addition DeMartin discloses a receiver 20 in workstation 26 for receiving music video

and data information from server 16 wherein the server receives TOC data of CD and

matches it with already present data in server 16 to be reproduced and transmitted to

workstation 26 which reads on "a terminal transmitter which receives the read

information and the input information and transmits the read information and the input

information to the server receiver; and a server including a server receiver which

receives the read information and the input information and transmits the read

information and the input information to an information analyzer; a music information

storage device which stores the music information and the music list information; a

synchronized video information storage device for storing the synchronized video

information; a relevant information storage device for storing the relevant video

information, the relevant sound information, and the relevant list information; an

information analyzer which receives the read information and the input information and

which transmits, to a server transmitter, the music list information, the synchronized

video information, the synchronized video list information, the relevant video

information, the relevant sound information, and the relevant list information; and a

server transmitter which receives the music list information, the synchronized video

information, the synchronized video list information, the relevant video information, the

relevant sound information, and the relevant list information and which transmits, to the

terminal receiver, the music list information, the synchronized video information, the

synchronized video list information, the relevant video information, the relevant sound

information, and the relevant list information, wherein one or a plurality of terminals are

connected to the server by utilization of the Internet" (figure 1).

Claim 2 is the method performed by the system defined in claim 1. Therefore

claim 2 is rejected on the same basis as claim 1.

Regarding claim 3, DeMartin discloses a work station or terminal including

storage capabilities designed for accessing multimedia information via the internet

comprising music video and data which reads on "a terminal B including a terminal

receiver B which receives music list information, synchronized video information,

synchronized video list information, relevant video information, relevant sound

information, relevant list information, and in-process playback information and which

transmits, to a synchronization analyzer B, the music list information, the synchronized

video information, the synchronized video list information, the relevant video

information, the relevant sound information, the relevant list information, buffering start

information, and buffering end information" (column 2, lines 50-54, 60-62) in addition

DeMartin discloses a workstation 26 wherein the TOC (table of content) read from each

disk in the CD changer can be matched against the corresponding title and name of the

track stored in the database of Music Web server 16 which reads on "a CD drive B for

transmitting CD information to the synchronization analyzer B; a terminal input device B

for transmitting input information B to the synchronization analyzer B; a music

information reader B for transmitting read information B to the synchronization analyzer

B" (column 4, lines 49-52) and is exhibited in figure 1. Furthermore, DeMartin discloses

display screen for displaying multimedia information and input devices like keyboards

matched between TOC data (table of content data) and web server 16 which reads on

"a music information screen device B for receiving the music list information; a video

information screen device B for receiving the synchronized video list information and the

relevant list information; an operation device; a display screen device B for receiving the

synchronized video information and the relevant video information; a performance

device B for receiving the CD information and the relevant sound information" (figure 1)

in addition DeMartin discloses a workstation 26 comprising a receiver wherein the TOC

(table of content) read from each disk in the CD changer can be matched against the

corresponding title and name of the track stored in the database of Music Web server

16 which reads on " a synchronization analyzer B which receives the music list

information, the synchronized video information, the synchronized video list information,

the relevant video information, the relevant sound information, the relevant list

information, the CD information, the buffering start information, and the buffering end

information and which transmits the music list information to the music information

screen device B, transmits the synchronized video list information and the relevant list

information to the video information screen device B, transmits the synchronized video

information and the relevant video information to the display screen device B, transmits

the CD information and the relevant sound information to the performance device B,

transmits the in-process playback information to the terminal receiver B, and transmits

the read information B and the input information B to the terminal transmitter B" (column

4, lines 49-52) in addition DeMartin discloses a receiver 20 in workstation or terminal

26 for receiving music video and data information from server 16 wherein the server

receives TOC data of CD and matches it with already present data in server 16 to be

reproduced and transmitted to workstation 26 which reads on "and a terminal

transmitter B which receives the read information B and the input information B and

transmits the read information B and input information B to the server receiver B; and a

server B including a server receiver B which receives the read information B and the

input information B and transmits the read information B and the input information B to

the information analyzer B; a music information storage device B which stores the music

information and the music list information; a synchronized video information storage

device B for storing the synchronized video information; a relevant information storage

device B for storing the relevant video information, the relevant sound information, and

the relevant list information; an information analyzer B which receives the read

information B and the input information B and which transmits, to a server transmitter B,

the music list information, the synchronized video information, the synchronized video

list information, the relevant video information, the relevant sound information, and the

relevant list information; and a server transmitter B which receives the music list

information, the synchronized video information, the synchronized video list information,

the relevant video information, the relevant sound information, and the relevant list

information and which transmits, to the terminal receiver B, the music list information,

the synchronized video information, the synchronized video list information, the relevant

video information, the relevant sound information, and the relevant list information,

wherein one or a plurality of terminals B are connected to the server B by

utilization of the Internet" (figure 1).

Regarding claim 4, DeMartin discloses a work station or terminal including

storage capabilities designed for accessing multimedia information via the internet

comprising music video and data which reads on "a terminal C including a terminal

receiver B which receives music list information, synchronized video information,

synchronized video list information, relevant video information, relevant sound

information, relevant list information, and in-process playback information and which

transmits, to a synchronization analyzer C, the music list information, the synchronized

video information, the synchronized video list information, the relevant video

information, the relevant sound information, the relevant list information, buffering start

information, and buffering end information" (column 2, lines 50-54, 60-62) in addition

DeMartin discloses a workstation 26 wherein the TOC (table of content) read from each

disk in the CD changer can be matched against the corresponding title and name of the

track stored in the database of Music Web server 16 which reads on "a CD drive B for

transmitting CD information to the synchronization analyzer C; a terminal input device B

for transmitting input information B to the synchronization analyzer C; a music

information reader B for transmitting read information B to the synchronization analyzer

C" (column 4, lines 49-52) and is exhibited in figure 1. Furthermore, DeMartin discloses

display screen for displaying multimedia information and input devices like keyboards

matched between TOC data (table of content data) and web server 16 which reads on

"a music information screen device B for receiving the music list information; a video

information screen device B for receiving the synchronized video list information and the

relevant list information; an operation device; a display screen device B for receiving the

synchronized video information and the relevant video information; a performance

device B for receiving the CD information and the relevant sound information" (figure 1)

in addition DeMartin discloses a workstation 26 comprising a receiver wherein the TOC

(table of content) read from each disk in the CD changer can be matched against the

corresponding title and name of the track stored in the database of Music Web server

16 which reads on "a synchronization analyzer C which receives the music list

information, the synchronized video information, the synchronized video list information,

the relevant video information, the relevant sound information, the relevant list

information, the CD information, the buffering start information, the buffering end

information, and stable information and which transmits the music list information to the

music information screen device B, transmits the synchronized video list information

and the relevant list information to the video information screen device B, transmits the

synchronized video information and the relevant video information to the display screen

device B, transmits the CD information and the relevant sound information to the

performance device B, transmits the in-process playback information to the terminal

receiver B, transmits time lag information A and time lag information B to a stability

determination device, transmits the read information B and the input information B to the

terminal transmitter B stores CD information into a CD information storage device, and

extracts the CD information from the CD information storage device" (column 4, lines

49-52) in addition DeMartin discloses a receiver 20 in workstation or terminal 26 for

receiving music video and data information from server 16 wherein the server receives

TOC data of CD and matches it with already present data in server 16 to be reproduced

and transmitted to workstation 26 which reads on "a CD information storage device for

storing CD information; a stability determination device which receives the time lag

information A and the time lag information B and transmits stable information to the

synchronization analyzer C; a terminal transmitter B which receives the read information

B and the input information B and transmits the read information B and input information

B to the server receiver B; and a server B including a server receiver B which receives

the read information B and he input information B and transmits the read information B

and the input } information B to the information analyzer B; music information storage

device B which stores the music information and the music list information; a

synchronized video information storage device B for storing the synchronized video

information; a relevant information storage device B for storing the relevant video

information, the relevant sound information, and the relevant list information; an

information analyzer B which receives the read information B and the input information

B and which transmits, to a server transmitter B, the music list information, the

synchronized video information, the synchronized video list information, the relevant

video information, the relevant sound information, and the relevant list information; and

a server transmitter B which receives the music list information, the synchronized video

information, the synchronized video list information, the relevant video information, the

relevant sound information, and the relevant list information and which transmits, to the

terminal receiver B, the music list information, the synchronized video information, the

synchronized video list information, the relevant video information, the relevant sound

information, and the relevant list information, wherein one or a plurality of terminals C

are connected to the server B by utilization of the Internet" (figure 1).

Claim 5 is the method performed by the system defined in claim 3. Therefore

claim 5 is rejected on the same basis as claim 3.

Claim 6 is the method performed by the system defined in claim 4. Therefore

claim 6 is rejected on the same basis as claim 4.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to ANTHONY BANTAMOI whose telephone number is

(571)270-3581. The examiner can normally be reached on MON. - FRI.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jefferey Harold can be reached on (571) 272 7519. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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assistance from a USPTO Customer Service Representative or access to the

automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-

1000.

Anthony Bantamoi
Examiner
Art Unit 4115

AB
/Jefferey F Harold/
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